

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE PROCESSED EGG PRODUCTS ANTITRUST LITIGATION</b>	:	
	:	<b>MDL No. 2002</b>
	:	<b>08-md-02002</b>
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<b>THIS DOCUMENT APPLIES TO:</b>	:	
<b>All Indirect Purchaser Actions</b>	:	

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON COUNT III  
OF THE FIFTH AMENDED COMPLAINT (CLAIMS UNDER CALIFORNIA LAW)**

For the reasons set forth in the accompanying *Memorandum in Support of Defendants' Motion for Summary Judgment on Count III of the Fifth Amended Complaint (Claims Under California Law)*, the undersigned Defendants, by and through their counsel, hereby move the Court for an Order entering judgment in their favor and against Plaintiffs on Count III (Claims Under California Law) of the Fifth Amended Complaint (Dkt. #866). The *Memorandum* and its exhibits are being filed under seal. A proposed order is attached to this motion as **Exhibit A**.

Pursuant to Local Rule of Civil Procedure 7.1, Defendants request oral argument on this Motion.

Dated: July 2, 2015

/s/ Veronica Smith Lewis

Veronica Smith Lewis  
Brian E. Robison  
Jason C. McKenney  
Olivia A. Adendorff  
GIBSON, DUNN & CRUTCHER LLP  
2100 McKinney Ave, Suite 1100  
Dallas, TX 75201  
Telephone: (214) 698-3100  
Facsimile: (214) 698-3400

Robin Locke Nagele  
POST & SCHELL, P.C.  
Four Penn Center, 14th Floor  
1600 John F. Kennedy Blvd.  
Philadelphia, PA 19103  
Telephone: (215) 587-1155  
Facsimile: (215) 587-1444

*Counsel for Defendant Cal-Maine Foods, Inc.*

/s/ Carrie Mahan Anderson

Carrie Mahan Anderson  
WEIL, GOTSHAL & MANGES LLP  
1300 Eye Street NW  
Washington, DC 20005  
Telephone: (202) 682-7000  
carrie.anderson@weil.com

William L. Greene  
STINSON LEONARD STREET LLP  
150 South Fifth Street, Suite 2300  
Minneapolis, MN 55402  
Telephone: (612)335-1500  
william.greene@stinsonleonard.com

*Counsel for Defendant Michael Foods, Inc.*

/s/ Jan P. Levine

Jan P. Levine  
Robin P. Sumner  
PEPPER HAMILTON LLP  
3000 Two Logan Square  
18th and Arch Streets

Respectfully submitted,

/s/ Nathan P. Eimer

Nathan P. Eimer  
Vanessa G. Jacobsen  
Arin C. Aragona  
EIMER STAHL LLP  
224 South Michigan Avenue, Suite 1100  
Chicago, IL 60604  
Tel: (312) 660-7600  
Fax: (312) 692-1718  
neimer@eimerstahl.com

*Counsel for Defendants Moark, LLC and  
Norco Ranch, Inc.*

/s/ Donald M. Barnes

Donald M. Barnes  
John C. Monica, Jr.  
Jay L. Levine  
Molly S. Crabtree  
PORTER, WRIGHT, MORRIS & ARTHUR,  
LLP  
1900 K Street, NW, Suite 1110  
Washington, DC 20006-1110  
Telephone: (202) 778-3056  
Facsimile: (202) 778-3063  
dbarnes@porterwright.com

*Counsel for Defendant Rose Acre Farms, Inc.*

/s/ Joseph M. Callow, Jr.

Joseph M. Callow, Jr.  
KEATING MUETHING & KLEKAMP PLL  
One East Fourth Street, Suite 1400  
Cincinnati, OH 45202  
Telephone: (513) 579-6400  
jcallow@kmlaw.com

*Counsel for Defendant Ohio Fresh Eggs, LLC*

/s/ Christine C. Levin

Joseph A. Tate  
Christine C. Levin  
Carolyn E. Budzinski  
Dechert LLP

Philadelphia, PA 19103  
Telephone: (215) 981-4000  
Facsimile: (215) 981-4750  
levinej@pepperlaw.com  
sumnerr@pepperlaw.com

2929 Arch Street  
Philadelphia, PA 19104  
Telephone: (215) 994-4000  
joseph.tate@dechert.com  
christine.levin@dechert.com

*Counsel for Defendants United Egg Producers, Inc. and United States Egg Marketers, Inc.*

*Counsel for Defendant R.W. Sauder, Inc.*

**CERTIFICATE OF SERVICE**

I, Nathan P. Eimer, an attorney, hereby certify that on July 2, 2015, a true and correct copy of **DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON COUNT III OF THE FIFTH AMENDED COMPLAINT (CLAIMS UNDER CALIFORNIA LAW)** was filed with the Clerk of the Court, per the Local Rules, and will be available for viewing and downloading via the CM/ECF system and the CM/ECF system will send notification of such filing to all attorneys of record.

Dated: July 2, 2015

By: /s/ Nathan P. Eimer  
Nathan P. Eimer